

1 Kevin P.B. Johnson (Bar No. 177129)
QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP
2 555 Twin Dolphin Drive, Suite 560
Redwood Shores, California 94065-2139
3 Telephone: (650) 801-5000
Facsimile: (650) 801-5100
4

Steven M. Anderson (Bar No. 144014)
5 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP
865 S. Figueroa St. 10th Floor
6 Los Angeles, California 90017
Telephone: (213) 443-3000
7 Facsimile: (213) 443-3100

8 Attorneys for Plaintiff Sony Corporation

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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 SOUTHERN DIVISION

13 SONY CORPORATION, A Japanese
corporation,

14 Plaintiff,

15 vs.

16 VIZIO INC., A California corporation,

17 Defendant.
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CASE NO. CV-01135-AHS-AN

**DECLARATION OF RORY S. MILLER IN
SUPPORT OF SONY'S AMENDED NOTICE
OF MOTION AND AMENDED MOTION
FOR RECONSIDERATION OF TRANSFER
ORDER**

[Concerns Order by the Honorable R. Gary
Klausner Declining Intra-District Transfer]

Judge: Hon. R. Gary Klausner

Hearing Date and Time: January 5, 2009, 10:00
a.m.

1 1. I am a member of the bar of the State of California, of this Court, and
2 an associate of Quinn Emanuel Urquhart Oliver & Hedges, LLP, counsel for Sony
3 Corporation (“Sony”). I submit this declaration in support of Sony's Amended
4 Motion for Reconsideration of Transfer Order. I have personal knowledge of the
5 facts stated in this declaration, and if called upon to do so, could and would
6 competently testify thereto.

7 2. Sony Corporation (“Sony”) and Vizio Inc. (“Vizio”) met and conferred
8 regarding Sony’s Motion for Reconsideration of Transfer Order on November 13,
9 2008.

10 3. Attached hereto as Exhibit A is a true and correct copy (without
11 exhibits) of Sony’s Complaint for Patent Infringement against Westinghouse Digital
12 Electronics, LLC (“Westinghouse”), dated June 16, 2008.

13 4. Attached hereto as Exhibit B is a true and correct copy of Sony and
14 Westinghouse’s Joint Stipulation for the Filing of Sony Corporation’s First
15 Amended Complaint.

16 5. Attached hereto as Exhibit C is a true and correct copy (without
17 exhibits) of Sony's First Amended Complaint for Patent Infringement against
18 Westinghouse, dated September 12, 2008.

19 6. Attached hereto as Exhibit D is a true and correct copy (without
20 exhibits) of Sony’s Complaint for Patent Infringement against Vizio, dated October
21 10, 2008.

22 7. Attached hereto as Exhibit E is a true and correct copy of the Notice of
23 Related Case filed with the Vizio Complaint, dated October 10, 2008.

24 8. Attached hereto as Exhibit F is a true and correct copy of the Civil
25 Cover Sheet filed with the Vizio Complaint, dated October 10, 2008.


26 9. Attached hereto as Exhibit G [New Jersey complaint]

27 10. Attached hereto as Exhibit H is a true and correct copy of Judge
28 Klausner’s Order declining transfer of the Vizio action, dated October 24, 2008.

1 11. Attached hereto as Exhibit I is a true and correct copy (without
2 exhibits) of Sony's First Amended Complaint for Patent Infringement Against
3 Vizio, dated November 14, 2008.

4 12. Attached hereto as Exhibit J is a true and correct copy of a letter dated
5 November 17, 2008 from Kevin P.B. Johnson to James L. Wamsley, counsel for
6 Vizio, enclosing a covenant not to sue on United States Patent Nos. 5,285,285;
7 5,212,554; 5,168,362; and 5,539,425.

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9 DATED: December 15, 2008

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11 By 
12 Rory S. Miller
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